

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TSEGAZEAB ZERAHAIMANOT,

Petitioner,

v.

MIKE OBENLAND,

Respondent.

Case No. C15-1719-RSL-JPD

REPORT AND RECOMMENDATION

On November 1, 2015, a petition for writ of habeas corpus under 28 U.S.C. § 2254 was filed on petitioner's behalf by attorney Jeffrey Ellis. (*See* Dkt. 1.) Upon review, this Court determined that the petition was defective because the petition had not been signed by petitioner, nor had petitioner's counsel provided a proper verification of the petition. Accordingly, on November 2, 2015, this Court issued an order declining to serve the petition and granting petitioner leave to correct the deficiency within 20 days. (Dkt. 2.) Petitioner was advised that his failure to timely comply with the Court's Order would result in a recommendation that his petition be dismissed. (*See id.*) To date, petitioner has not corrected the deficiency identified in this Court's November 2, 2015 Order. Accordingly, this Court recommends that petitioner's federal habeas petition be dismissed, pursuant to LCR 11(c), for failure to comply with LCR

REPORT AND RECOMMENDATION
PAGE - 1

1 100(e) and for failure to comply with an Order of this Court. A proposed order accompanies this
2 Report and Recommendation.

3 Objections to this Report and Recommendation, if any, should be filed with the Clerk and
4 served upon all parties to this suit by no later than **December 14, 2015**. Failure to file objections
5 within the specified time may affect your right to appeal. Objections should be noted for
6 consideration on the District Judge's motion calendar for the third Friday after they are filed.
7 Responses to objections may be filed within **fourteen (14)** days after service of objections. If no
8 timely objections are filed, the matter will be ready for consideration by the District Judge on
9 **December 18, 2015**.

10 This Report and Recommendation is not an appealable order. Thus, a notice of appeal
11 seeking review in the Court of Appeals for the Ninth Circuit should not be filed until the
12 assigned District Judge acts on this Report and Recommendation.

13 DATED this 30th day of November, 2015.

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15 JAMES P. DONOHUE
16 Chief United States Magistrate Judge
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